

***REMARKS***

The Examiner correctly identifies Claim Nos. 1, 7, and 12 as generic.

***ELECTION***

Applicant hereby elects Examiner designated Group I, claims 4, 7-9, and 15-16.

Applicant withdraws the claims directed to the non-elected species, Claims 5, 6, 10, 11, 17 and 18, until such time as a genus claim is allowed. However, it is requested that these claims be allowed to stay in the application for further prosecution at that time.

“In the first action on an application containing a generic claim to a generic invention (genus) and claims to more than one patentably distinct species embraced thereby, the examiner may require the applicant in the reply to that action to elect a species of his or her invention to which his or her claim will be restricted if no claim to the genus is found to be allowable.” According to this practice, any restriction to the elected species is conditional (i.e., only “if no claim to the genus is found to be allowable”). The Examiner has concluded that the claims directed to the actuator having an optical sensor arrangement are a different species from the claims directed to the actuator having a magnetic sensor arrangement, and has also properly concluded that Claim Nos. 1, 7, and 12 are generic to both of these species.

The claims which read on the first species, the actuator having an optical sensor arrangement, include Claims 1-4, 7-9, and 12-16.

***Conclusion***

It is believed that a full and complete response has been made to the outstanding Office Action, and as such, the present application is in condition for allowance. If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, he is invited to telephone the undersigned at the number provided.

Prompt and favorable consideration of this Amendment is respectfully requested.

Respectfully submitted,



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